IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr. Misc. No.33420 of 2008
DADAN MAHTO & ANR. Vrs. THE STATE OF BIHAR
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/2/ **15.09.2008** Heard the counsel for the petitioners and the State.

2. Petitioners, Dadan Mahto and Kaushalya Devi @ Sushila Devi, are apprehending their arrest in connection with Raxaul P.S. Case No. 55 of 2008 (Tr. No. 2565 of 2008) registered for offence under Section 366A of the Indian Penal Code. Counsel for the petitioners submits that on her recovery the victim girl while interrogated by the police did not support prosecution case rather she stated that on her own sweet will she had gone in the company of one Jai Ram Patel. The investigating officer submitted final form against all other named accused persons except Jai Ram Patel, who is in custody. However, cognizance has been taken against the petitioners also.

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3. Considering the facts and taking into consideration the statement of the victim girl, recorded under Section 164 of the Criminal Procedure Code, the prayer for grant of anticipatory bail on behalf of the petitioners is **allowed**. They are directed to be released on anticipatory bail, in case of their surrender before the Court concerned within four weeks from today, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with the aforementioned case to the satisfaction of the Sub Divisional Judicial Magistrate, Raxaul at Motihari, Wast Champaran, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Mridula Mishra, J.)

S.A.